

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Unlicensed Operation in the TV Broadcast Bands)	ET Docket No. 04-186
)	
Additional Spectrum for Unlicensed Devices)	ET Docket No. 02-380
Below 900 MHz and in the 3 GHz Band)	
)	

To: The Commission

**STATEMENT IN SUPPORT OF MOTION
FOR EXTENSION OF COMMENT
AND REPLY COMMENT DATES**

The National Association of Broadcasters (“NAB”)¹ submits this statement in support of the IEEE 802.18 Radio Regulatory Technical Advisory Group’s motion for extension of time in the above-captioned proceeding.² The issues raised by the operation of unlicensed devices in the television broadcast bands are extremely complex and testing and technical analysis by many interested parties would be important to developing a comprehensive record upon which the Commission can base a reasoned decision. The IEEE 802 Executive Committee has approved the formation of a Working Group to address the standards required for sharing on a strict non-interference basis in the TV broadcast bands.

NAB, along with other representatives from the TV broadcast industry, the public safety community, and consumer electronics industry, are actively participating in IEEE 802’s efforts to work cooperatively with all stakeholders in this proceeding. Consensus,

¹ NAB is a nonprofit, incorporated association that serves and represents America’s radio and television broadcast stations.

² *In the Matter of Unlicensed Operation in the TV Broadcast Bands*, Motion for Extension of Time, IEEE 802.18 Radio Regulatory Technical Advisory Group, *et al.*, ET Docket 04-186, Aug. 12, 2004.

however, can only be reached if the interested parties are allowed adequate time to work through numerous technical issues.

As evidenced in the docket, a number of parties have *begun* to either test or are contemplating testing unlicensed devices in the TV broadcast bands, and have already raised harmful interference concerns. An *ex parte* audio demonstration by Shure, Inc., a major manufacturer of wireless devices, concluded that unless the proposed rules are modified, unlicensed devices in the TV bands “will likely cause harmful interference to wireless microphones.”³ Religious broadcasters, sports broadcasters, newscasters, and other groups such as churches and conference centers, each of which rely on wireless microphones, could adversely be affected by the proposed rules. Further, Motorola has raised issues of out-of-band emission problems and adjacent TV channel interference and limitations on the availability of spectrum that unlicensed devices could operate in markets where the demand may be highest.⁴ Additionally, the Consumer Electronics Association has recently submitted a field testing plan outline.⁵ The Commission should allow these and other parties sufficient time to conduct studies and construct proposed standards.

Intel’s opposition to an extension of time is not persuasive.⁶ Intel has provided no reason how the public will, in any way, be harmed by an extension in comment period. An

³ See Letter from Catherine Wang, to Marlene H. Dortch, Notice of *Ex Parte* Meeting, ET Docket No. 04-186, Aug. 5, 2004 at 1.

⁴ See Letter from Steve B. Sharkey to Marlene H. Dortch, Notice of *Ex Parte* Meeting, ET Docket No. 04-186, July 20, 2004 at pp. 2-8 of attached PowerPoint presentation.

⁵ See Letter from Veronica A. O’Connell to Marlene H. Dortch, ET Docket No. 04-186, Aug. 2, 2004.

⁶ *In the Matter of Unlicensed Operation in the TV Broadcast Bands*, Opposition to Motion for Extension of Time, Intel Corporation, ET Docket 04-186, Aug. 13, 2004.

extension would allow sufficient testing and analysis by a respected standard-setting entity, IEEE 802, an organization that does not stand to financially benefit from the instant rulemaking. Despite its claims of multiple studies and testing with many parties, Intel has failed to submit any detailed technical analysis in the instant record. If indeed Intel is interested in enriching the public through the “benefit of information,”⁷ then it should welcome full and comprehensive participation by all affected parties in this proceeding.

For the aforementioned reasons, NAB fully supports IEEE’s motion for a 180 day extension for comments and reply comments in this proceeding.

Lynn Claudy
Senior Vice President
NAB Science & Technology

Respectfully Submitted,

**NATIONAL ASSOCIATION
OF BROADCASTERS**

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A handwritten signature in black ink, appearing to read "Marsha MacBride", written over a horizontal line.

Marsha MacBride
Jack N. Goodman
Ann West Bobeck

August 17, 2004

⁷ *Id.* at 1.